



## MEMORANDUM

**TO:** Public School Superintendents  
Charter School Principals  
Accredited Nonpublic School Principals

**FROM:** Pat Mapes, Director  
Education Licensing and Development

**DATE:** July 1, 2009

**SUBJECT:** HEA 1462 Update on Convicted Teacher Database;  
Online reporting of offenses under HEA 1462; and  
Clarification on payment for Expanded Criminal History Checks

The purpose of this memo is to provide information on the online reporting tool developed for school employers to facilitate HEA 1462's mandatory reporting requirement. Indiana Code 20-28-5-8 (b) provides that "the superintendent of a school corporation, presiding officer of the governing body, or equivalent authority for a nonpublic school shall immediately notify the state superintendent when the individual knows that a current or former licensed employee of the public school or nonpublic school has been convicted of an offense listed in IC 20-28-5-8(c), or when the governing body or equivalent authority for a nonpublic school takes any final action in relation to an employee who engaged in any offense listed in IC 20-28-5-8(c)." Subsection (c) lists 19 felonies that, should a licensed educator be convicted of any of them, would result in permanent revocation of the educator's license(s). In addition, new statutory language at IC 20-19-3-9 requires the department to establish and maintain a searchable public data base of information concerning employees and former employees who have been reported to the department under IC 20-28-5-8.

The Office of Educator Licensing and Development (OELD) and the Office of Education Information Systems (EIS) have collaborated to develop an online reporting form that can be completed by a school employer and submitted to the Department of Education electronically. In order to access the online offense reporting form located at DOE Online you must request an account at <https://dc.doe.state.in.us/DOEOnline/Administration/Security/UserRequest/AccountRequest.aspx?REF=1bd4a849-440c-4f94-84a5-7df2097b7519>. If you don't have an account you will be assigned one; if you already have a DOE Online account, your request will automatically add you to the offense reporting form user group, but it will not create a separate new account. After you request an account, please allow 3 business days for us to verify and respond back with your account activation information. Once your account is established you may use the following link to log on: <https://dc.doe.state.in.us/DOEOnline/Login.aspx>. The reporting form can be accessed on DOE

Online under Educator Offense on the left side of the page. When completing the form please enter as much information as possible prior to submission. While some reports may involve educator misconduct that is not the subject of criminal charges or where charges have been filed but no conviction has yet been entered, **only verified convictions will be posted to the public facing data base.**

The site for the public facing data base can be accessed at <https://dc.doe.state.in.us/DOEOnline/DPS/EducatorOffense/PublicView.aspx> or through the link on the OELD home page. The data base is searchable by school employer name, conviction type and educator last name. The OELD has populated the data base with some historical conviction data to provide an opportunity for the public to see how it works and we will continue to enter historical data over time. **Current educator conviction data will be entered only after the information is confirmed.** If you have questions concerning the reporting process or the data base, please contact Risa A. Regnier at 317/232-0501 or [rregnier@doe.in.gov](mailto:rregnier@doe.in.gov).

Regarding the information recently distributed concerning the expanded criminal history (ECH) check requirement for new hires after July 1, our office has communicated with the State Board of Accounts concerning whether school employers may pay for an ECH through a vendor when the statutory language states that the applicant is responsible for all costs associated with obtaining the ECH check.

According to State Board of Accounts, a school employer using a vendor for ECH checks that charges a flat contract fee regardless of volume should look at the number of ECH and LCH (limited criminal history) checks obtained in prior years, if possible, and estimate the number of ECH checks to be run in the future and come up with a reasonable “per background check” cost based on the flat fee paid to the vendor. That amount should be charged by the school employer to each employee for whom an ECH check is run by the school employer’s ECH vendor. A school employer paying a vendor a “per ECH” cost or using a vendor on an individual ECH basis should charge the employee the cost of the ECH.

For school employers using the fingerprint-based check through L-I Identity Solutions and the Indiana State Police, the applicant pays the cost during online registration or at the time of fingerprinting. This information has been added to the Frequently Asked Questions document distributed last week and posted on our web site.